

**SUPREME COURT MINUTES
WEDNESDAY, AUGUST 15, 2007
SAN FRANCISCO, CALIFORNIA**

S046816

PEOPLE v. THORNTON (MARK SCOTT)

The opinion is modified. The petition for rehearing is denied.

S046816

PEOPLE v. THORNTON (MARK SCOTT)

Opinion modified - no change in judgment.

S153846 G037375 Fourth Appellate District, Div. 3

MEYER (PAMEL) v. SPRINT SPECTRUM LP

Petition for review granted (civil case)
Votes: George, C. J., Werdegar, Moreno, and Corrigan, JJ.

S153852 A112856/A109755

AMERON INTERNATIONAL CORPORATION v. INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA

Petition for review granted (civil case)
Corrigan, J., was recused and did not participate.
Votes: George, C. J., Kennard, Werdegar, Chin, and Moreno.

S153920 B190270 Second Appellate District, Div. 5

PEOPLE v. CHAVEZ (JESUS R.)

Petition for review granted (criminal case)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S153964 B188077 Second Appellate District, Div. 5 **MCDONALD (JOHN) v.
ANTELOPE VALLEY
COMMUNITY COLLEGE
DISTRICT**

Petition for review granted; issues limited (civil case)

Petition for review granted. The issue to be briefed and argued is limited to the following: Is the one year statute of limitations for filing an administrative complaint with the Department of Fair Employment and Housing set forth in Government Code section 12960 subject to equitable tolling while the employee pursues an internal administrative remedy, such as a complaint with the community college chancellor filed pursuant to California Code of Regulations, title 5, section 59300 et seq.?

Votes: George, C. J., Baxter, Werdegar Chin, Moreno, and Corrigan, JJ.

S123133 C040754 Third Appellate District **PEOPLE v. BRENDLIN (BRUCE
EDWARD)**

Supplemental briefing ordered

Respondent's request to file supplemental briefing and to set a briefing schedule is granted. The parties are directed to brief the following two issues:

- (1) Does the exclusionary rule of the Fourth Amendment require suppression of the fruits of the search that followed the unlawful detention here, where the deputy, prior to the search, verified that Brendlin was a parole violator with an outstanding no-bail warrant for his arrest?
- (2) Did the search here violate *In re Jaime P.* (2006) 40 Cal.4th 206 or *People v. Sanders* (2003) 31 Cal.4th 318? Respondent is directed to serve and file a brief on the merits on or before September 14, 2007. Additional briefing is to be served and filed in a timely fashion. (See Cal. Rules of Court, rule 8.520.)

Kennard, J., is of the opinion the matter should be transferred to the court of appeal for further proceedings.

S145541 D045957 Fourth Appellate District, Div. 1 **SPRINT TELEPHONY PCS v.
COUNTY OF SAN DIEGO**

Supplemental briefing ordered.

The parties are requested to answer the following question: What effect, if any, does the Ninth Circuit's decision in *Sprint Telephony PCS, L.P. v. County of San Diego*, et al. (9th Cir. 2007) 490 F.3d 700 [2007 WL 1695330; 2007 U.S. App. Lexis 13811], have on this case? The parties are directed to serve and file simultaneous letters by August 24, 2007, and may serve and file any reply by August 31, 2007.

S152984 F047855 Fifth Appellate District**PEOPLE v. YBARRA (RONALD ENRIQUE)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

The petitions for review are granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Gonzalez*, S149898, *People v. Sloan*, S132605, and *People v. Izaguirre*, S132980 (See Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S153433 E039277 Fourth Appellate District, Div. 2**PEOPLE v. SANTACRUZ (JESUS RUIZ)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Appellant Santacruz's petition for review is granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court. Appellant Nieblas' petition for review is denied.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S153455 B185929 Second Appellate District, Div. 7**PEOPLE v. REYES (HENRY O.)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S153757 H029616 Sixth Appellate District**PEOPLE v. EVANS (JAMES)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court. Appellant's petition for review is denied.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S153813 D046668 Fourth Appellate District, Div. 1 **VASQUEZ (CRISTINA) v. STATE OF CALIFORNIA**

Review granted/briefing deferred (8.512(d)(2) civil case)

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *Vasquez v. State of California*, S143710 (See Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S153957 D046853 Fourth Appellate District, Div. 1 **PEOPLE v. HUNTER (OTHA)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S154189 G036194 Fourth Appellate District, Div. 3 **PEOPLE v. SALINAS III (DANIEL BOY)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of the additional briefing, pursuant to California Rules of Court rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S154192 A112109 First Appellate District, Div. 4 **PEOPLE v. FONTENOT (HUBERT LEE)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S154229 B193079 Second Appellate District, Div. 7 **PEOPLE v. FLUKER**
(CHARLES)

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S154232 B190668 Second Appellate District, Div. 4 **PEOPLE v. WILLIAMS (TONY**
LAVELLE)

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S154247 D048422 Fourth Appellate District, Div. 1 **PEOPLE v. FUGATE**
(RAYMOND E.)

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S154293 H027820 Sixth Appellate District **PEOPLE v. SOTO (LOUIS**
MUNOZ)

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S154310 C052270 Third Appellate District**PEOPLE v. ANDERSON
(MICHAEL)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S154386 E041690 Fourth Appellate District, Div. 2**PEOPLE v. BROOKS (SAMUEL
CLAUDE)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S154422 F049654 Fifth Appellate District
(CHARLES)**PEOPLE v. ENGLISH
DAVID)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of this court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S154471 B192553 Second Appellate District, Div. 3**PEOPLE v. MARIANI (LENKO)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512 (d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S144097**MASONER (JAMES) ON H.C.**

OSC issued, returnable in Superior Court

The Director of Corrections and Rehabilitation is ordered to show cause, returnable before the Los Angeles County Superior Court, when the matter is placed on calendar, why the Board of Parole Hearings did not abuse its discretion in its August 25, 2005, decision finding petitioner unsuitable for parole, and why petitioner remains a danger to public safety. (See *In re Rosenkrantz* (2002) 29

Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061; *In re Lee* (2006) 143 Cal.App.4th 1400, 1408; *In re Scott* (2005) 133 Cal.App.4th 573, 595, 602.) The return is to be filed on or before September 14, 2007.

Votes: George, C. J., Kennard, Werdegar, and Moreno, JJ.

S148025

**GRUNAU (MARK DANIEL) ON
H.C.**

Order to show cause issued; returnable in CA 6

The Director of the Department of Corrections and Rehabilitation is ordered to show cause before the Sixth District Court of Appeal, when the matter is placed on calendar, why the remittitur in case number H015871 should not be recalled, why the order dismissing petitioner's appeal should not be vacated, and why petitioner's appeal should not be reinstated. (See *In re Serrano* (1995) 10 Cal.4th 447; *In re Martin* (1962) 58 Cal.2d 133.) The return is to be filed on or before September 14, 2007.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S152835

B183508 Second Appellate District, Div. 8

**PEOPLE v. VERDIN (SAMUEL
ELIAS)**

Petition for review granted; transferred to CA 2/8

The petitions for review are granted. The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, with directions to vacate its decision and to reconsider the cause in light of the decision in *People v. Perez* (2005) 35 Cal.4th 1219. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Werdegar, Chin and Corrigan, JJ.

S153263

C055695 Third Appellate District

**FEATHERSTONE (JAMES R.)
ON H.C.**

Petition for review granted; transferred to CA 3

The petition for review is granted. The matter is transferred to the Court of Appeal, Third Appellate District. That court is ordered to vacate its summary denial dated May 25, 2007, and is ordered to issue an order to show cause, returnable before the Butte County Superior Court. The Director of the Department of Corrections and Rehabilitation is to be ordered to show cause, when the matter is placed on calendar, why petitioner is not entitled to relief on the grounds that petitioner's trial counsel rendered ineffective assistance by failing to advise petitioner that he was ineligible for placement in the California Rehabilitation Center. (See *In re Resendiz* (2001) 25 Cal.4th 230.) The return is to be filed on or before September 14, 2007.

Votes: George, C. J., Kennard, Werdegar, Chin, Moreno, and Corrigan, JJ.

S154853 B197692 Second Appellate District, Div. 3 **COSTCO WHOLESALE CORP.
v. S.C. (RANDALL)**

Review granted; transferred to CA 2/3 to issue OSC

Petition for review is granted. The matter is transferred to the Court of Appeal, Second Appellate District, Third Division, with directions to vacate its order denying the petition for writ of mandate and to issue another order directing respondent Superior Court of Los Angeles County to show cause why the relief sought in the petition should not be granted. The stay request is denied as moot in light of the Superior Court order stating, "The time period for production pursuant to this Order shall be stayed upon the filing of an application for writ of mandate hereon, and during the appellate court's pending review."

Kennard, J., was recused and did not participate.

Votes: George, C. J., Werdegarr, Chin, and Corrigan, JJ.

S152032 H029507 Sixth Appellate District **TRIPP (BRANDEE) ON H.C.**
Petition for review & depublication request denied.

S153359 C053567 Third Appellate District **FRANKLIN (MICHAEL E.) ON
H.C.**
Petition for review denied.

S153388 F048963 Fifth Appellate District **PEOPLE v. JOHNSON (EMANUEL
RAY)**
Petition for review denied.
Baxter, J., was recused and did not participate.

S153458 F051520 Fifth Appellate District **RASH (MICHAEL) v. W.C.A.B.
STANISLAUS COUNTY
(SHERIFFS DEPARTMENT)**
Petition for review & publication request denied.

S153516 B199329 Second Appellate District, Div. 7 **BATTLE (MICHAEL PATRICK)
ON H.C.**
Petition for review denied.

S153581 F049951 Fifth Appellate District

Petition for review denied.

**PEOPLE v. LANGSTON
(DEDRIC DONYELL)**

S153609 G038752 First Appellate District, Div. 3

Petition for review and application for stay denied.

**VOIGHT (ERNEST LEONARD)
v. S.C. (PEOPLE)**

S153618 H028927 Sixth Appellate District

Petition for review denied.

**PEOPLE v. MARTINEZ
(JOHNNY A.)**

S153671 E040035 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. BISHOP (KENOTH
R.)**

S153729 C055723 Third Appellate District
DEMARCO)

Petition for review denied.

**SAMPSON (PATRICK
ON H.C.**

S153735 F051790 Fifth Appellate District
Petition for review denied.

S. (M.), IN RE

S153747 E043132 Fourth Appellate District, Div. 2
Petition for review denied.

THOMPSON (FRANK) ON H.C.

S153748 A113439 First Appellate District, Div. 1

Petition for review denied.

**PEOPLE v. ORTEGA
(LAZARUS)**

S153762 E038597 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. JONES (PRENTICE
DEADWYLER)**

S153765 D050312 Fourth Appellate District, Div. 1

Petition for review denied.

WALTERS (MARTIN E.) ON H.C.

S153766 A117938 First Appellate District, Div. 4

Petition for review denied.

KARR (RICHARD E.) ON H.C.

S153791 B189287 Second Appellate District, Div. 5

Petition for review denied.

LAND (DAUN'NE MONIQUE) v. LOS ANGELES UNIFIED SCHOOL DISTRICT

S153800 F053018 Fifth Appellate District

Petition for review denied.

LIRA (ERNESTO) ON H.C.

S153810 E043165 Fourth Appellate District, Div. 3

Petition for review denied.

MAUZEY (RONALD KEITH) ON H.C.

S153818 B190868 Second Appellate District, Div. 1

Petition for review denied.

PEOPLE v. MARRON (ANTONIO)

S153837 H030215 Sixth Appellate District

Petition for review denied.

PEOPLE v. CALDERON (VICTOR)

S153843 B199678 Second Appellate District, Div. 2

Petition for review denied.

BELL (JOE) ON H.C.

S153850 A114794 First Appellate District, Div. 3

Petition for review denied.

PEOPLE v. PEREIRA (GILBERTO PEREZ)

Kennard and Baxter, JJ., are of the opinion the petition should be granted.

S153866 A114605 First Appellate District, Div. 3
Petition for review denied.

L. (ANGELICA), IN RE

S153877 D050470 Fourth Appellate District, Div. 1
Petition for review denied.

FLORES (JOSE) ON H.C.

S153890 C055886 Third Appellate District
Petition for review denied.

LANG (RUSSELL) ON H.C.

S153905 G037549 Fourth Appellate District, Div. 3
Petition for review & publication request denied.

**LUONG (TUNG) v. WANG (MIN),
MARRIAGE OF**

S153906 A116777 First Appellate District, Div. 3
Petition for review denied.

**HA (JAMES) v. NORTHSIDE
MARKET**

S153916 E042934 Fourth Appellate District, Div. 2
Petition for review denied.

**LIGGINS (ORIENTHAL D.) v.
COUNTY OF SAN BERNARDINO**

S153922 B187981 Second Appellate District, Div. 2
Petition for review denied.

**CHATMAN (VALERIE) v. YMCA
OF METROPOLITAN LOS
ANGELES**

S153923 D047848 Fourth Appellate District, Div. 1
Petition for review denied.

**PEOPLE v. GUTIERREZ (JUAN
JOSE)**

S153943 B184025 Second Appellate District, Div. 8
Petition for review denied.

**PROKOP (DAVID) v. CITY OF
LOS ANGELES**

S153956 F051064 Fifth Appellate District

Petition for review denied.

PEOPLE v. MORRISON (DEREK DUANE)

S153970 B190223 Second Appellate District, Div. 2
Petition for review denied.

PEOPLE v. JOHNSON (WILBERT)

S153981 B186450 Second Appellate District, Div. 7
Petition for review denied.

PEOPLE v. INIGUEZ (RUBEN MANUEL)

S153997 H029936 Sixth Appellate District

Petition for review denied.
Kennard, J., is of the opinion the petition should be granted.

ROTOLO (CHRISTINE) v. SAN JOSE SPORTS ENTERTAINMENT ENTERPRISES, INC.

S154024 B199207 Second Appellate District, Div. 1
Petition for review denied.

ABNER (JANICE) v. S.C. (LAW OFFICES OF PHILIP FALESE)

S154048 F053096 Fifth Appellate District
Petition for review denied.

CATANO (ELIAS) ON H.C.

S154056 F050593 Fifth Appellate District
Petition for review denied.

PEOPLE v. WILLIAMS (JOHN CHARLES)

S154077 C050683 Third Appellate District
Petition for review denied.

PEOPLE v. GUNDER (DARRIN ERIC)

S154079 F053090 Fifth Appellate District

Petition for review denied.

**MILLER (THOMAS) v. S.C.
(PEOPLE)**

S154095 B191760 Second Appellate District, Div. 2

Petition for review denied.

**VILLAR (ROMEO) v. MUTUAL
PROTECTION TRUST**

S154114 B181989 Second Appellate District, Div. 3

Petition for review denied.

**FASSBERG CONSTRUCTION
COMPANY v. HOUSING
AUTHORITY OF THE CITY OF
LOS ANGELES**

S154118 E039773 Fourth Appellate District, Div. 2

Petition for review denied.

**PONTO (CHERYL) v. COUNTY
OF RIVERSIDE**

S154136 D048338 Fourth Appellate District, Div. 1

Petition for review denied.

**SPAID (NOEL W.) v.
CALIFORNIA FRANCHISE TAX
BOARD**

S154167 B194637 Second Appellate District, Div. 8

Petition for review & depublication request denied.

**MATTHAU (CHARLES) v. S.C.
(WILLIAM MORRIS AGENCY
LLC)**

S154169 H028588 Sixth Appellate District

Petition for review denied.

**CIOFFI (SHARON & JOHN),
MARRIAGE OF**

S154174 B192879 Second Appellate District, Div. 8

Petition for review denied.

**PEOPLE v. BROWN (GREGORY
DWAYNE)**

S154181 A112638 First Appellate District, Div. 4

Petition for review denied.

**PEOPLE v. VAN GUILDER
(DANIEL BRIAN)**

S154191 H031584 Sixth Appellate District

Petition for review denied.

**ROUNDTREE (EDWARD SILAS)
ON H.C.**

S154199 C053242 Third Appellate District

Petition for review denied.

**PEOPLE v. ROSAS (OSCAR
MENESES)**

S154206 B199338 Second Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. MORELAND
(DESMOND)**

S154217 F050307 Fifth Appellate District

Petition for review denied.

**PARKER (MARY JANE) v.
STATE OF CALIFORNIA,
DEPARTMENT OF
TRANSPORTATION**

S154225 B190887 Second Appellate District, Div. 3

Petition for review denied.

PEOPLE v. MONK (JAMAUL L.)

S154230 D049528 Fourth Appellate District, Div. 1

Petition for review denied.

N. (MARIAH), IN RE

S154231 C052577 Third Appellate District

Petition for review denied.

**PEOPLE v. LARIMORE
(CHESTER DREW)**

S154238 B198261 Second Appellate District, Div. 1

Petition for review denied.

**UNITED D&D CORPORATION
v. W.C.A.B. (LOTFI)**

S154239 B191210 Second Appellate District, Div. 7

Petition for review denied.

PEOPLE v. RIOS (GEORGE)

S154255 H029707 Sixth Appellate District

Petition for review denied.

**PEOPLE v. BYRD (LEONARD
DOUGLAS)**

S154256 B199647 Second Appellate District, Div. 2

Petition for review denied.

**EMERSON (MARK LAURENCE
DONALD) v. S.C. (AGUANNO)**

S154257 H031263 Sixth Appellate District

Petition for review denied.

**BYRD (LEONARD DOUGLAS)
ON H.C.**

S154261 G037433 Fourth Appellate District, Div. 3

Petition for review denied.

B. (DANIEL), IN RE

S154275 B195823 Second Appellate District, Div. 1

Petition for review denied.

**BOOTHE (BEVERLY ANN) v.
ALI (SAJID)**

S154276 H029583 Sixth Appellate District

Petition for review denied.

**PEOPLE v. CLARKE (DANIEL
CHARLES)**

S154286	D049955 Fourth Appellate District, Div. 1	A. (LEILAH), IN RE
Petition for review denied.		
S154287	B200203 Second Appellate District, Div. 7	M. (HEATHER), IN RE
Petition for review denied.		
S154289	C054382 Third Appellate District	B. (D.), IN RE
Petition for review denied.		
S154290	B199919 Second Appellate District, Div. 3	SASOUVANH (THONGINH) v.
Petition for review denied.		S.C. (PEOPLE)
S154313	F052348 Fifth Appellate District	REYNOLDS (JAN) v. S.C.
Petition for review and application for stay denied.		(PEOPLE)
S154315	F053097 Fifth Appellate District	STOKES (ERNEST) ON H.C.
Petition for review denied.		
S154317	C051678 Third Appellate District	PEOPLE v. MERLEN (WILLIAM
Petition for review denied.		RUSSELL)
S154349	B192302 Second Appellate District, Div. 8	PEOPLE v. JACKSON (DAVID)
Petition for review denied.		
S154351	E043429 Fourth Appellate District, Div. 2	SICILIANO (JOHN M.) v. S.C.
Petition for review denied.		(GEILE)

S154359 E040045 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. ROBERTS
(CLARENCE)**

S154376 D051163 Fourth Appellate District, Div. 1

Petition for review denied.

**FINK (DAVID) v. S.C.
(FRANCHISE TAX BOARD)**

S154378 E040066 Fourth Appellate District, Div. 2

Petition for review denied.

PEOPLE v. RODRIGUEZ (LUIS)

S154381 H029807 Sixth Appellate District

Petition for review denied.

**PEOPLE v. STRACHAN (HUGH
TRUNG)**

S154382 G035955 Fourth Appellate District, Div. 3

Petition for review denied.

**FEDERICO (DOMENIC) v.
COUNTY OF ORANGE**

S154385 C052144 Third Appellate District

Petition for review denied.

**PEOPLE v. LIVINGOOD
(RONALD GENE)**

S154430

Petition for writ of error coram vobis denied.

**PEOPLE v. JONES (LEVAR
EMERSON)**

S154472 B190299 Second Appellate District, Div. 2

Petition for review & publication request denied.

**BREN (DONALD) v. GOLD
(JENNIFER)**

S154490 C054084 Third Appellate District

Petition for review denied.

F. (JAYLA), IN RE

S154493 B199150 Second Appellate District, Div. 1

Petition for review denied.

LOTT (LARRY LESTER) ON H.C.

S154658 G038763 Fourth Appellate District, Div. 3

Petition for review and application for stay denied.

DENHOLM (DAVID) v. S.C. (HOLT)

S154678 A118189 First Appellate District, Div. 1

v.

Petition for review and application for stay denied.

RIDGELINE FRAMING CORP. S.C. (BEARDSLEY)

S154905 A118465 First Appellate District, Div. 3

Petition for review and application for stay denied.

THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA v. S.C. (GLOBALSANTAFE DRILLING COMPANY)

S155171 B200205 Second Appellate District, Div. 5

The application for stay and petition for review are denied.

Kennard, Baxter, Chin, and Corrigan, JJ., were recused and did not participate.

Hon. James Marchiano, Presiding Justice of the Court of Appeal, First Appellate District, Division One, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

SHAMSIAN (FERIAL) v. S.C. (PEPSICO, INC.)

S144226

Petition for writ of habeas corpus denied.

BALL (RICHARD) ON H.C.

S145814

Petition for writ of habeas corpus denied.

ATKINSON (BRANDON MARQUIS) ON H.C.

S148115

Petition for writ of habeas corpus denied.

**KETCHENS (STEVEN NOEL)
ON H.C.**

S150080

Petition for writ of habeas corpus denied.

TAMAYO (JOE) ON H.C.

S150230

Petition for writ of habeas corpus denied.

RODRIGUEZ (RUDY) ON H.C.

S150858

Petition for writ of habeas corpus denied.

**PIERCE (PATRICK ANDREW)
ON H.C.**

S150860

Petition for writ of habeas corpus denied.

SWAIN (TYRONE F.) ON H.C.

S150905

Petition for writ of habeas corpus denied.

**TOLBERT, JR. (ROBERT
LOUIS) ON H.C.**

S151128

Petition for writ of habeas corpus denied.

**LOCKETT (MICHAEL A.) ON
H.C.**

S151137

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

PAIGE (JAMAINE) ON H.C.

S151185

Petition for writ of habeas corpus denied.

JACKSON II (LOUIS T.) ON H.C.

S151367**H.C.**

Petition for writ of habeas corpus denied.

RUBALCAVA (LIONEL) ON**S151399**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**AIROSO (JEFFREY RICHARD)
ON H.C.****S151437**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**ACINELLI, JR. (SAMUEL
ANTHONY) ON H.C.****S151440**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734.)**ADAMS (DARRIS) ON H.C.****S151460**

Petition for writ of habeas corpus denied.

OROZCO (MIGUEL) ON H.C.**S151474**

Petition for writ of habeas corpus denied.

**WEEMS (EUGENE LAMONT)
ON H.C.****S151497**

Petition for writ of habeas corpus denied.

**LONGMIRE (ANTHONY D.) ON
H.C.****S151501**

Petition for writ of habeas corpus denied.

**DOUGLAS (LASANCE R.) ON
H.C.**

S151503

Petition for writ of habeas corpus denied.

FLORES (MANUEL) ON H.C.

S151513

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

FLORES (DAVID) ON H.C.

S151530

Petition for writ of habeas corpus denied.

**WILLIAMS (JOEL PATRICK)
ON H.C.**

S151537

Petition for writ of habeas corpus denied.

CAPELA (BARTH D.) ON H.C.

S151547

Petition for writ of habeas corpus denied.

RODRIGUEZ (JASON) ON H.C.

S151552

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**ANDERSON (IRVIN DONALD)
ON H.C.**

S151563

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**FERNANDEZ (DANIEL
CARMEN) ON H.C.**

S151576

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

HURT (RICKY RANAY) ON H.C.

S151585

Petition for writ of habeas corpus denied.

FRELIMO (OBA) ON H.C.

S151624

Petition for writ of habeas corpus denied.

GREEN (RAYMOND) ON H.C.**S151625**

Petition for writ of habeas corpus denied.

CUMMINGS (MARIO) ON H.C.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Lindley* (1947) 29 Cal.2d 709; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S151808

Petition for writ of habeas corpus denied.

**WILLIAMS (JOEL PATRICK)
ON H.C.****S152277**

Petition for writ of habeas corpus denied.

(See *In re Dixon* (1953) 41 Cal.2d 756.)

BELL (ESSIE L.) ON H.C.**S152294**

Petition for writ of habeas corpus denied.

(See *In re Dexter* (1979) 25 Cal.3d 921; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**HEAD (CHRISTOPHER
RONALD) ON H.C.****S152396**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750.)

**MOORE (DARRELL LYNN) ON
H.C.****S153018**

Petition for writ of habeas corpus denied.

**TAYLOR (MICHAEL
DOUGLAS) ON H.C.****S153220**

Petition for writ of habeas corpus denied.

JAMESON (BARRY) ON H.C.

S153490

Petition for writ of habeas corpus denied.

SANDOVAL (JOSE) ON H.C.

S153572

Petition for writ of habeas corpus denied.

**SEEBOTH (TIMOTHY J.) ON
H.C.**

S153911

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

BAKER (ISAIAH) ON H.C.

S153935

Petition for writ of habeas corpus denied.

(See *In re Dixon* (1953) 41 Cal.2d 756.)

**POULSOM (MICHAEL JAMES)
ON H.C.**

S153946

Petition for writ of habeas corpus denied.

**RAINES (JIMMY BRUCE) ON
H.C.**

S153977

Petition for writ of habeas corpus denied.

(See *In re Dixon* (1953) 41 Cal.2d 756.)

SHAZIER (DARIEL) ON H.C.

S154033

Petition for writ of habeas corpus denied.

PINA (JERMAINE) ON H.C.

S154041

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

WALKER (HAROLD) ON H.C.

S154046

Petition for writ of habeas corpus denied.
(See *In re Clark* (1993) 5 Cal.4th 750.)

SOKOLSKY (MARK S.) ON H.C.**S154097**

Petition for writ of habeas corpus denied.
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

DIETLE (DARRELL L.) ON H.C.**S154107**

Petition for writ of habeas corpus denied.

TOLLIVER (DARRYL L.) ON H.C.**S154186**

Petition for writ of habeas corpus denied.
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

THOMAS (CHERYL) ON H.C.**S154445**

Petition for writ of habeas corpus denied.

WILLIAMS (ARASHEIK) ON H.C.**S154601**

Petition for writ of habeas corpus denied.
(See *In re Dexter* (1979) 25 Cal.3d 921.)

VARGAS (ARTURO) ON H.C.**S154616**

Petition for writ of habeas corpus denied.
(See *In re Dexter* (1979) 25 Cal.3d 921.)

TOLLIVER (DARRYL L.) ON H.C.**S154673**

Petition for writ of habeas corpus denied.

ROSENBALM (VINCENT) ON H.C.

S154680

Petition for writ of habeas corpus denied.

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)**BADUE (STEVE) ON H.C.****S154691**

Petition for writ of habeas corpus denied.

ROBINSON (BRUCE) ON H.C.**S152872** A113632 First Appellate District, Div. 2

Publication request denied (case closed)

**BATTO (JOHN) v. SCHUTZ
(DON J.)****S153277** F050034 Fifth Appellate District

Publication request denied (case closed)

**SCHOOLS ALLIANCE FOR
W.C. EXCESS II v. FRESNO
COUNTY, OFFICE OF
EDUCATION****S153374** B192671 Second Appellate District, Div. 5

Publication request denied (case closed)

S. (LUCIEN), IN RE**S153446** C050978 Third Appellate District**DEPARTMENT**

Depublication request denied (case closed)

**AIR COURIERS
INTERNATIONAL v.
EMPLOYMENT
DEVELOPMENT****S153596** H029979 Sixth Appellate District

Publication request denied (case closed)

**MOLINA (FRANCISCO) v. FRY'S
ELECTRONICS, INC.****S153731** A113997 First Appellate District, Div. 1

Publication request denied (case closed)

**SETTERBERG (DAVID) v.
METALCLAD INSULATION
CORPORATION**

S135160 C044400 Third Appellate District

**O'CONNELL (KENDRA) v. CITY
OF STOCKTON**

Time extended to consider modification or rehearing to October 24, 2007.

S153789 H031002 Sixth Appellate District

**GONZALES (ANTHONY
DANIEL) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to September 21, 2007.

S153873 F052050 Fifth Appellate District

CAYABO (RIZALINO) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to September 25, 2007.

S153949 F051919 Fifth Appellate District

STYRE (ROBERT) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to September 27, 2007.

S042346

**PEOPLE v. JONES (BRYAN
MAURICE)**

Extension of time granted.

Good cause appearing, and based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing the appellant's reply brief by June 18, 2008, counsel's request for an extension of time in which to file that brief is granted to October 16, 2007. After that date, only four further extensions totaling about 240 additional days will be granted.

S055528

**PEOPLE v. BARNWELL
(LAMAR)**

The time for granting or denying rehearing in the above-entitled case is hereby extended to October 24, 2007.

S075616**PEOPLE v. GONZALES (JOHN ANTHONY) & SOLIZ (MICHAEL)**

Extension of time granted.

Good cause appearing, and based upon Assistant State Public Defender Jay Colangelo's representation that he anticipates filing appellant Michael Soliz's reply brief by August 31, 2007, counsel's request for an extension of time in which to file that brief is granted to August 31, 2007. After that date, no further extension will be granted.

S076339**PEOPLE v. GRIMES (GARY LEE)**

Extension of time granted.

Good cause appearing, and based upon counsel James M. Fahey's representation that he anticipates filing the appellant's opening brief by September 15, 2008, counsel's request for an extension of time in which to file that brief is granted to October 12, 2007. After that date, only six further extensions totaling about 330 additional days will be granted.

S082776**PEOPLE v. REED (ENNIS)**

Extension of time granted.

Good cause appearing, and based upon counsel Gail Harper's representation that she anticipates filing the appellant's opening brief by December 5, 2007, counsel's request for an extension of time in which to file that brief is granted to October 12, 2007. After that date, only one further extension totaling about 55 additional days is contemplated.

S083904**PEOPLE v. VERDUGO (NATHAN)**

Extension of time granted.

Good cause appearing, and based upon counsel John F. Schuck's representation that he anticipates filing the appellant's reply brief by December 21, 2007, counsel's request for an extension of time in which to file that brief is granted to October 22, 2007. After that date, only one further extension totaling about 60 additional days is contemplated.

S091915**PEOPLE v. NUNEZ (DANIEL) & SATELE (WILLIAM)**

Extension of time granted.

Good cause appearing, and based upon counsel Janyce Keiko Imata Blair's representation that she anticipates filing appellant Daniel Nunez's opening brief by October 20, 2007, counsel's request for an extension of time in which to file that brief is granted to October 22, 2007. After that date, no further extension will be granted.

S140077**WALLACE (KEONE) ON H.C.**

Extension of time granted.

Good cause appearing, and based upon counsel Michael Cross's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by January 15, 2008, counsel's request for an extension of time in which to file that document is granted to September 24, 2007. After that date, only two further extensions totaling about 120 additional days are contemplated.

S140077**ALVAREZ (MANUEL M.) ON
H.C.**

Good cause appearing, and based upon Deputy Attorney General Laura Wetzel Simpton's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by November 16, 2007, counsel's request for an extension of time in which to file that document is granted to October 19, 2007. After that date, only one further extension totaling about 28 additional days is contemplated.

S149728 G035822 Fourth Appellate District, Div. 3 **C. (RAYMOND), IN RE**

Extension of time granted to August 17, 2007, to file respondent's answer brief on the merits.

S059912**PEOPLE v. MONTES (JOSEPH
MANUEL)**

Record augmentation granted.

S077009**PEOPLE v. CARRASCO
(ROBERT)**

Motion for access to sealed record granted.

Appellant's "Motion to Unseal Record," filed on July 25, 2007, is granted. The clerk of this court is directed to unseal and transmit to respondent a copy of Supplemental II Clerk's Transcript pages 343-354, 361-368, 370, 375, 376-382A, 385-390, and 392-396. (Cal. Rules of Court, rule 8.160(f)(1).) The court expressly finds that the factors set forth in California Rules of Court, rule 2.550(d), support unsealing these pages.

S152481**SPRINT PCS ASSETS LLC v.
CITY OF PALOS VERDES
ESTATES**

Order filed.

On May 8, 2007, the Ninth Circuit requested this court to decide the following question of California law: "Do California Public Utilities Code section 7901 and 7901.1 permit public entities to regulate the placement of telephone equipment in public rights of way on aesthetic grounds?" Pursuant to California Rules of Court, rule 8.548(f)(5), we request the Ninth Circuit to clarify its question in light of the significance, if any, of its decision in *Sprint Telephony PCS, L.P. v. County of San Diego*, et al. (9th Cir. 2007) 490 F.3d 700 [2007 WL 1695330; 2007 U.S. App. Lexis 13811].

S152706**DANSER ON DISCIPLINE**

Petition for writ of review denied; disbarred.

It is hereby ordered that respondent WILLIAM RICHARD DANSER, State Bar number 84789, be summarily disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 9.20 of the California Rules of Court and to perform the acts specified in paragraphs (a) and (c) of that rule within 30 and 45 days, respectively, after the date this order is effective. (See Bus. & Prof. Code, section 6126, subd. (c).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 775)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 776)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

99754-07**THE HONORABLE JAMES J.**

MARCHIANO, Presiding Justice of the Court of Appeal, First Appellate District, Division One, is hereby assigned to assist the Supreme Court, as a justice thereof, on August 15, 2007, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary, by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.